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**FILED**  
3 Los Angeles Superior Court  
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5 NOV 10 2014  
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7 Sheriff R. Carter, Executive Officer/Clerk  
8 *K. Gaudreau*  
9 By: K. Gaudreau Deity

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 FOR THE COUNTY OF LOS ANGELES  
12

13 In re Personal Injury Cases Assigned to the ) Case No.: BC 568381  
14 Personal Injury Courts (Departments 91, 92,) THIRD AMENDED GENERAL ORDER  
15 93, and 97) ) RE PERSONAL INJURY COURT ("PI  
16 ) Court") PROCEDURES (Effective as of  
17 ) November 4, 2014)

18 **DEPARTMENT:** 91 92 93 97  
19

20 **FINAL STATUS CONFERENCE ("FSC"):**  
21

- 22 • Date: \_\_\_\_\_ at 10:00 a.m.  
23

24 **TRIAL:**  
25

- 26 • Date: \_\_\_\_\_ at 8:30 a.m.  
27

28 **OSC re DISMISSAL (Code Civ. Proc., § 583.210):**  
29

- 30 • Date: \_\_\_\_\_ at 8:30 a.m.  
31

32 TO EACH PARTY AND TO THE ATTORNEY OF RECORD FOR EACH PARTY:  
33

34 Pursuant to the California Code of Civil Procedure ("C.C.P."), the California  
35 Rules of Court, and the Los Angeles County Court Rules ("Local Rules"), the Los  
36 Angeles Superior Court ("LASC" or "Court") HEREBY AMENDS AND  
37 SUPERSEDES ITS APRIL 4, 2014 AMENDED GENERAL ORDER AND  
38

1 **GENERALLY ORDERS AS FOLLOWS IN THIS AND ALL OTHER GENERAL**  
2 **JURISDICTION PERSONAL INJURY ACTIONS:**

3       Effective March 18, 2013, the Court responded to systemic budget reductions by  
4 centralizing the management of more than 18,000 general jurisdiction personal injury cases  
5 in the Stanley Mosk Courthouse. LASC opened three Personal Injury Courts ("PI Courts")  
6 (Departments 91, 92 and 93), and on January 6, 2014, a fourth (Department 97) to adjudicate  
7 all pretrial matters for these cases. It also established a Master Calendar Court (Department  
8 One), to manage the assignment of trials to 31 dedicated Trial Courts located countywide.  
9 This Amended General Order lays out the basic procedures for the PI Courts' management of  
10 pretrial matters. The parties will find additional information about the PI Courts on the  
11 court's website, [www.lacourt.org](http://www.lacourt.org).

12       1. To ensure proper assignment to a PI Court, Plaintiff(s) must carefully fill out the Civil  
13 Case Cover Sheet Addendum (form LACIV 109). The Court defines "personal injury" as:

14               "an unlimited civil case described on the Civil Case Cover Sheet Addendum and  
15 Statement of Location (LACIV 109) as Motor Vehicle-Personal Injury/Property  
16 Damage/Wrongful Death; Personal Injury/Property Damage/Wrongful Death-  
17 Uninsured Motorist; Product Liability (other than asbestos or  
18 toxic/environmental); Medical Malpractice-Physicians & Surgeons; Other  
19 Professional Health Care Malpractice; Premises Liability; Intentional Bodily  
20 Injury/Property Damage/Wrongful Death; or Other Personal Injury/Property  
21 Damage/Wrongful Death. An action for intentional infliction of emotional  
22 distress, defamation, civil rights/discrimination, or malpractice (other than  
23 medical malpractice), is not included in this definition. An action for injury to  
24 real property is not included in this definition." Local Rule 2.3(a)(1)(A).

1       The Court will assign a case to the PI Courts if plaintiff(s) check any of the following  
2       boxes in the Civil Case Cover Sheet Addendum:

3              A7100 Motor Vehicle – Personal Injury/Property Damage/Wrongful  
4              Death

5              A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured  
6              Motorist

7              A7260 Product Liability (not asbestos or toxic/environmental)

8              A7210 Medical Malpractice – Physicians & Surgeons

9              A7240 Medical Malpractice – Other Professional Health Care Malpractice

10             A7250 Premises Liability (e.g., slip and fall)

11             A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g.,  
12             assault, vandalism etc.)

13             A7220 Other Personal Injury/Property Damage/Wrongful Death

14       The Court will not assign cases to the PI Courts if plaintiff(s) check any boxes  
15       elsewhere in the Civil Case Cover Sheet Addendum (any boxes on pages two and  
16       three of that form).

17       2. The Court sets the above dates in this action in the PI Court circled above  
18       (Department 91, 92, 93, or 97) at the Stanley Mosk Courthouse, 111 North Hill Street, Los  
19       Angeles, CA 90012. Cal. Rules of Court, Rules 3.714(b)(3), 3.729.

20       **SERVICE OF SUMMONS AND COMPLAINT**

21       3. Plaintiff(s) shall serve the summons and complaint in this action upon defendant(s)  
22       within three years of the date when the complaint is filed. C. C. P. § 583.210, subd. (a). On  
23       the OSC re Dismissal date noted above, the PI Court will dismiss the action and/or all  
24

1 unserved parties unless the plaintiff(s) show cause why the action or the unserved parties  
2 should not be dismissed. C.C.P. §§ 583.250; 581, subd. (b)(4).

3 4. The Court sets the above trial and FSC dates on condition that plaintiff(s) effectuate  
4 service on defendant(s) of the summons and complaint within six months of filing the  
5 complaint. Upon a showing that the plaintiff(s) failed to effect service within six months, the  
6 PI Court will vacate the trial and FSC date noted above.  
7

8 **STIPULATIONS TO CONTINUE TRIAL**

9 5. Provided that all parties agree (and there is no violation of the "five-year rule," C.C.P.  
10 § 583.310), the parties may advance or continue any trial date in the PI Courts without  
11 showing good cause or articulating any reason or justification for the change. To continue or  
12 advance a trial date, the parties (or their counsel of record) should jointly execute and file (in  
13 Room 102 of the Stanley Mosk Courthouse; fee required) a Stipulation to Continue Trial,  
14 FSC and Related Motion/Discovery Dates (form available on the court's website, Personal  
15 Injury Court link). The PI Courts schedule FSCs for 10:00 a.m., eight (8) court days before  
16 the trial date. Parties seeking to continue the trial and FSC dates shall file the Stipulation at  
17 least eight court days before the FSC date. Parties seeking to advance the trial and FSC  
18 dates shall file the Stipulation at least eight court days before the proposed advanced FSC  
19 date. Code Civ. Proc., § 595.2; Govt. Code § 70617, subd. (c)(2).

21 **NO CASE MANAGEMENT CONFERENCES**

22 6. The PI Courts do not conduct Case Management Conferences. The parties need not  
23 file a Case Management Statement.  
24  
25  
26  
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1 **LAW AND MOTION**

2 **ANY DOCUMENTS WITH DECLARATIONS AND/OR EXHIBITS MUST BE  
3 TABBED. CRC §3.1110(f)**

4 **ALL DEPOSITION EXCERPTS REFERENCED IN BRIEFS MUST BE MARKED  
5 ON THE TRANSCRIPTS ATTACHED AS EXHIBITS. CRC §3.1116(c)**

6 If your filing is not tabbed or depositions are not marked, do not file without the  
7 tabs or marked depositions unless today is the last day for filing. If so, you must  
8 file a tabbed/marked copy with the clerk in the department where your motion will  
be heard within 2 court days.

9 **Chambers Copies Required**

10 7. In addition to filing original motion papers in Room 102 of the Stanley Mosk  
11 Courthouse, the parties must deliver, directly to the PI Court courtrooms, an extra copy  
12 (marked "Chambers Copy") of reply briefs and all other motion papers filed less than seven  
13 (7) court days before a hearing calendared in the PI Courts. The PI Courts also strongly  
14 encourage the parties filing and opposing lengthy motions, such as motions for summary  
15 judgment/adjudication, to submit one or more three-ring binders organizing the Chambers  
16 Copies behind tabs.

17 **Reservation of Hearing Date**

18 8. Parties are directed to reserve hearing dates for motions in the PI Courts using the  
19 Court Reservation System available online at [www.lacourt.org](http://www.lacourt.org) (link on homepage). Parties or  
20 counsel who are unable to utilize the online Court Reservation System may reserve a motion  
21 hearing date by telephoning the PI Court courtroom, Monday through Friday, between 3:00  
22 hearing date by telephoning the PI Court courtroom, Monday through Friday, between 3:00  
23 p.m. and 4:00 p.m.

24 **Withdrawal of Motion**

25 9. California Rules of Court, Rule 3.1304(b) requires a moving party to notify the court  
26 immediately if a matter will not be heard on the scheduled date. In keeping with that rule, the  
27

1 PI Courts urge parties who amend pleadings in response to demurters to file amended  
2 pleadings before the date when opposition to the demurter is due so that the PI Courts do not  
3 needlessly prepare tentative rulings on demurrs.

4 **Discovery Motions** The purpose of an Informal Discovery Conference ("IDC") is to assist  
5 the parties to resolve and/or narrow the scope of discovery disputes. Lead trial counsel on  
6 each side, or another attorney with full authority to make binding agreements, must attend in  
7 person. The PI judges have found that, in nearly every case, the parties amicably resolve  
8 disputes with the assistance of the Court.  
11. Parties must participate in an IDC before a Motion to Compel Further Responses to Discovery will be heard, unless, the moving party submits evidence, by way of declaration, that the opposing party has failed or refused to participate in an IDC. Scheduling or participating in an IDC does not extend any deadlines imposed by the Code of Civil Procedure for noticing and filing discovery motions. Ideally, the parties should participate in an IDC before a motion is filed because the IDC may avoid the necessity of a motion or reduce its scope. Because of that possibility, attorneys are encouraged to stipulate to extend the 45 (or 60) day deadline for filing a motion to compel further discovery responses in order to allow time to participate in an IDC. If parties do not stipulate to extend the deadlines, the moving party may file the motion to avoid it being deemed untimely. However, the IDC must take place before the motion is heard so it is suggested that the moving party reserve a date for the motion hearing that is at least 60 days after the date when the IDC reservation is made. Motions to Compel Further Discovery Responses are heard at 10:00 a.m. If the IDC is not productive, the moving party may advance the hearing on a Motion to Compel Further Discovery Responses on any available hearing date that complies with the notice requirements of the Code of Civil Procedure.

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1       12. In order to reserve an IDC, the parties must complete the **Request for Information**  
2       **Discovery Conference for Personal Injury Courts and Response (LACIV 239)** which can  
3       be found on the court's website under the Personal Injury tab. The party requesting the IDC  
4       must email the completed form to the department's email address. (The email addresses for  
5       all four PI Hub courts are listed on the form.) The court will then inform the requesting  
6       party of the date and time of the IDC. The requesting party must then notify all parties of the  
7       date and time of the IDC.  
8

9       13. Time permitting; the PI Hub judges may be available to participate in IDCs to try to  
10      resolve other types of discovery disputes.

11      **Ex Parte Applications**

12      14. Under the California Rules of Court, courts may only grant *ex parte* relief upon a  
13      showing, by admissible evidence, that the moving party will suffer "irreparable harm,"  
14      "immediate danger," or where the moving party identifies "a statutory basis for granting  
15      relief *ex parte*." Cal. Rules of Court, Rule 3.1202(c). The PI Courts have no capacity to hear  
16      multiple *ex parte* applications or to shorten time to add hearings to their fully booked motion  
17      calendars. The PI Courts do not regard the Court's unavailability for timely motion hearings  
18      as an "immediate danger" or threat of "irreparable harm" justifying *ex parte* relief. Instead of  
19      seeking *ex parte* relief, counsel should reserve the earliest available motion hearing date, and  
20      stipulate with all parties to continue the trial to a date thereafter using the Stipulation to  
21      Continue Trial, FSC and Related Motion/Discovery Dates (form available on the court's  
22      website, PI Court Tab). Counsel should also check the Court Reservation System from time  
23      to time because earlier hearing dates may become available as cases settle or counsel  
24      otherwise take hearings off calendar.  
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1 **REQUEST FOR TRANSFER TO INDEPENDENT CALENDAR DEPARTMENT**

2 15. Parties seeking to transfer a case from a PI Court to an Independent Calendar ("I/C")  
3 Court shall file (in Room 102 of the Stanley Mosk Courthouse) and serve the Court's  
4 "Motion to Transfer Complicated Personal Injury Case to Independent Calendar Court"  
5 (form available on the Court's website, PI Courts link). The PI Courts will transfer a matter  
6 to an I/C Court if the case is not a "Personal Injury" case as defined in the General Order re  
7 General Jurisdiction PI Cases, or if it is "complicated." In determining whether a personal  
8 injury case is too "complicated" for the PI Courts to manage, the PI Courts will consider,  
9 among other things, whether the case will involve numerous parties, cross-complaints,  
10 witnesses (including expert witnesses), and/or pretrial hearings.

12 16. Parties opposing a motion to transfer have five court days to file (in Room 102) an  
13 Opposition (using the same Motion to Transfer form).

14 17. The PI Courts will not conduct a hearing on any Motion to Transfer to I/C Court.  
15 Although the parties may stipulate to transfer a case to an Independent Calendar Department,  
16 the PI Courts will make an independent determination whether to transfer the case or not.

18 **GENERAL ORDER – FINAL STATUS CONFERENCE**

19 18. Parties shall comply with the requirements of the PI Courts' "Amended General  
20 Order – Final Status Conference," which shall be served with the summons and complaint.

21 **JURY FEES**

22 19. Parties must pay jury fees no later than 365 calendar days after the filing of the initial  
23 complaint. (Code Civ. Proc., § 631, subds. (b) and (c).)

24 **JURY TRIALS**

1 20. The PI Courts do not conduct jury trials. On the trial date, a PI Court will transfer the  
2 case to the Master Calendar Court in Department One in the Stanley Mosk Courthouse.  
3 Department One assigns cases out for trial to dedicated Trial Courts located in the Stanley  
4 Mosk, Chatsworth, Van Nuys, Santa Monica, Torrance, Long Beach, Pomona, and Pasadena  
5 courthouses.

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## 8 SANCTIONS

9 21. The Court has discretion to impose sanctions for any violation of this general order.  
10 (C.C.P. §§ 128.7, 187 and Gov. Code, § 68608, subd. (b).)

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12 Dated: Nov 10, 2014

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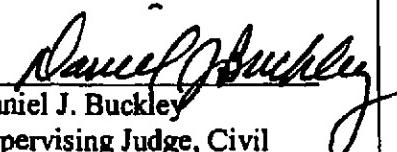
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Daniel J. Buckley  
Supervising Judge, Civil  
Los Angeles Superior Court

**FILED**  
Superior Court Of California  
County Of Los Angeles

APR 04 2014

Sherri R. Carter, Executive Officer/Clerk  
By Wayne M. Sasaki, Deputy  
Wayne M. Sasaki

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES - CENTRAL DISTRICT

In re Personal Injury Cases Assigned to the Personal Injury Courts (Departments 91, 92, 93, and 97), ) Case No.: BC 56838  
 )  
 ) SECOND AMENDED GENERAL ORDER -  
 ) FINAL STATUS CONFERENCE,  
 ) PERSONAL INJURY ("PI") COURTS  
 ) (Effective as of January 6, 2014)

The dates for Trial and Final Status Conference ("FSC") having been set in this matter, the Court  
**HEREBY AMENDS AND SUPERSEDES ITS July 19, 2013 AMENDED GENERAL  
ORDER – FINAL STATUS CONFERENCE AND GENERALLY ORDERS AS  
FOLLOWS IN THIS AND ALL OTHER GENERAL JURISDICTION PERSONAL  
INJURY ACTIONS:**

## **1. PURPOSE OF THE FSC**

The purpose of the FSC is to verify that the parties/counsel are completely ready to proceed with trial continuously and efficiently, from day to day, until verdict. The PI Courts will verify at the FSC that all parties/counsel have (1) prepared the Exhibit binders and Trial Document binders and (2) met and conferred in an effort to stipulate to ultimate facts, legal issues, motions *in limine*, and the authentication and admissibility of exhibits.

## **2. TRIAL DOCUMENTS TO BE FILED**

At least five calendar days prior to the Final Status Conference, the parties/counsel shall serve and file (in Room 102 of the Stanley Mosk Courthouse) the following Trial Readiness Documents:

**A. TRIAL BRIEFS (OPTIONAL)**

Each party/counsel may file, but is not required to file, a trial brief succinctly identifying:

- (1) the claims and defenses subject to litigation;
  - (2) the major legal issues (with supporting points and authorities);
  - (3) the relief claimed and calculation of damages sought; and
  - (4) any other information that may assist the court at trial.

## B. MOTIONS IN LIMINE

Before filing motions *in limine*, the parties/counsel shall comply with the statutory notice provisions of Code of Civil Procedure (“C.C.P.”) Section 1005 and the requirements of Los Angeles County Court Rule (“Local Rule”) 3.57(a). The caption of each motion *in limine* shall concisely identify the evidence that the moving party seeks to preclude. Parties filing more than one motion *in limine* shall number them consecutively. Parties filing opposition and reply papers shall identify the corresponding motion number in the caption of their papers.

**C. JOINT STATEMENT TO BE READ TO THE JURY**

For jury trials, the parties/counsel shall work together to prepare and file a joint written statement of the case for the court to read to the jury. Local Rule 3.25(i)(4).

**D. JOINT WITNESS LIST**

1 The parties/counsel shall work together to prepare and file a joint list of all witnesses that each  
2 party intends to call (excluding impeachment and rebuttal witnesses). Local Rule 3.25(i)(5).  
3 The joint witness list shall identify each witness by name, specify which witnesses are experts,  
4 and estimate the length of the direct, cross examination re-direct examination (if any) of each  
5 witness. The parties/counsel shall identify and all potential witness scheduling issues and special  
6 requirements. Any party/counsel who seeks to elicit testimony from a witness not identified on  
7 the witness list must first make a showing of good cause.

8           **E. LIST OF PROPOSED JURY INSTRUCTIONS (JOINT AND**  
9           **CONTESTED)**

10 The parties/counsel shall jointly prepare and file a list of proposed jury instructions, organized in  
11 numerical order, specifying the instructions upon which all sides agree and the contested  
12 instructions, if any.

13           **F. JURY INSTRUCTIONS (JOINT AND CONTESTED)**

14 The parties/counsel shall prepare a complete set of full-text proposed jury instructions, editing all  
15 proposed California Civil Jury Instructions for Judges and Attorneys ("CACI") instructions to  
16 insert party names and eliminate blanks and irrelevant material. The parties shall prepare special  
17 instructions in a format ready for submission to the jury (placing citations of authority and the  
18 identity of the requesting party above the text in compliance with Local Rules 3.170 and 3.171).

19           **G. JOINT VERDICT FORM(S)**

20 The parties/counsel shall prepare and jointly file a proposed general verdict form or special  
21 verdict form (with interrogatories) acceptable to all sides. If the parties/counsel cannot agree on  
22

1 a joint verdict form, each party must separately file a proposed verdict form. Local Rule  
2 3.25(i)(7) and (8).  
3 /

4 **H. JOINT EXHIBIT LIST**

5 The parties/counsel shall prepare and file a joint exhibit list organized with columns identifying  
6 each exhibit and specifying each party's evidentiary objections, if any, to admission of each  
7 exhibit. To comply with Local Rules 3.52(i)(5) and 3.53, the parties shall meet and confer in an  
8 effort to resolve objections to the admissibility of each exhibit.

9 **3. EVIDENTIARY EXHIBITS**

10 The parties/counsel shall jointly prepare (and be ready to temporarily lodge for inspection at the  
11 FSC), three sets of tabbed, internally paginated and properly-marked exhibits, organized  
12 numerically in three-ring binders (a set for the Court, the Judicial Assistant and the witnesses).

13 The parties/counsel shall mark all non-documentary exhibits and insert a simple written  
14 description of the exhibit behind the corresponding numerical tab in the exhibit binder.

16 **4. TRIAL BINDERS REQUIRED IN THE PI COURTS**

17 The parties/counsel shall jointly prepare (and be ready to temporarily lodge for inspection at  
18 the FSC) the Trial Documents, tabbed and organized into three-ring binders as follows:

19 Tab A: Trial Briefs

20 Tab B: Motions *in limine*

21 Tab C: Joint Statement to Be Read to the Jury

22 Tab D: Joint Witness List

23 Tab E: Joint List of Jury Instructions (identifying the agreed upon and contested  
24 instructions)  
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1 Tab F: Joint and Contested Jury Instructions  
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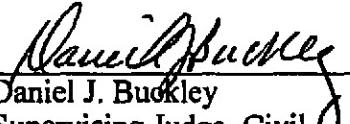
2 Tab G: Joint and/or Contested Verdict Forms  
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3 The parties shall organize motions *in limine* (tabbed in numerical order) behind tab B with  
4 the opposition papers and reply papers for each motion placed directly behind the moving  
5 papers. The parties shall organize proposed jury instructions behind tab F, with the agreed upon  
6 instructions first in order followed by the contested instructions (including special instructions)  
7 submitted by each side.

8 **5. FAILURE TO COMPLY WITH FSC OBLIGATIONS**

9 The court has discretion to require any party/counsel who fails or refuses to comply with this  
10 General Order to Show Cause why the court should not impose monetary, evidentiary and/or  
11 issue sanctions (including the entry of a default or the striking of an answer).  
12

13 Dated this 4<sup>th</sup> day of April, 2014  
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15   
16 Daniel J. Buckley  
17 Supervising Judge, Civil  
18 Los Angeles Superior Court  
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